

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

N.V.E., INC.,

Plaintiff,

v.

JESUS J. PALMERONI, a/k/a JOSEPH
PALMERONI, VINCENT ROSARBO,
NATIONAL RETAIL CONSULTING
GROUP, INC., AMERICAN WHOLESALE
DISTRIBUTION, INC., GLOBAL
MARKETING & SALES GROUP, LLC,
and VAR CONSULTING, INC.

Defendants.

Civil Action No.
2:06-cv-05455 (MCA)(LDW)

**NOTICE OF
MOTION TO VACATE**

PLEASE TAKE NOTICE that on a date to be set by the Court, the undersigned, attorneys for Plaintiff N.V.E., Inc. ("Plaintiff"), shall move before the Honorable Madeline Cox Arleo, United States District Judge, for an Order vacating the portion of the September 21, 2011 Order granting Defendant Jesus Palmeroni's application for an adverse inference instruction.

PLEASE TAKE FURTHER NOTICE that in support thereof, Plaintiff will rely upon the Certification of James W. Boyan III, Esq. with attached exhibits and the brief submitted herewith.

PASHMAN STEIN WALDER HAYDEN, P.C.
A Professional Corporation
Attorneys for Plaintiff N.V.E., Inc.

By: /s/ James W. Boyan III

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Dated: December 23, 2019.